



#15  
P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wayne A. Bonin

Serial No.: 08/965,332

Examiner: D. Larkin

Filed : November 6, 1997

Group Art Unit: 2856

For : APPARATUS FOR MICROINDENTATION HARDNESS TESTING AND SURFACE IMAGING INCORPORATING A MULTI-PLATE CAPACITOR SYSTEM

Docket No.: 55463/101/103

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING  
REJECTION (37 C.F.R. 1.321(b))

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**RECEIVED**

JUN 17 1999

Sir:  
TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

Name(s) of disclaimant(s) Hysitron, Incorporated

Officing at 5251 West 73rd Street  
Edina, Minnesota 55439

CERTIFICATE UNDER 37 C.F.R. 1.8  
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on this 17 day of June, 1999

By: \_\_\_\_\_  
Carolyne I. Erickson

represent that I am

- an inventor of this invention.  
 an assignee of this invention.

**RECEIVED**

JUN 16 1999

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

XXX a representative authorized to sign on behalf of the assignee identified below.

**IDENTITY OF ASSIGNEE AND TITLE OF DISCLAIMANT**

The assignee is:

Name of assignee Hysitron, Incorporated

Address of assignee 5251 West 73<sup>rd</sup> Street  
Edina, Minnesota 55439

Title of Disclaimant Attorney of Record  
and is authorized to sign on behalf of assignee.

**Recordal of Assignment in PTO**

XXX the assignment was recorded on December 30, 1994  
Reel 7292  
Frame 0173

       authorized for recordal of the assignment is separately attached

**Extent of Interest**

The extent of my (our) interest is in

XXX the whole of this invention

       a sectional interest in this invention as follows (here state the exact interest of the disclaimant(s):

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**  
**(37 C.F.R. 3.73(b))**

XXX I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignees who seek to take further action.

**DISCLAIMER**

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

XXX United States Patent No. 5,553,486, as presently shortened by any terminal disclaimer

       Any patent granted on application number \_\_\_\_\_

and hereby agree that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to:

XXX United States Patent Nos. 5,553,486

       Any patent granted on application number \_\_\_\_\_

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors

or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of:

XXX United States Patent Nos. 5,553,486, as presently shortened by any terminal disclaimer.

       Any patent granted on application number \_\_\_\_\_

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 35 U.C.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated above.

FEE STATUS

(37 C.F.R. 120(d) AND 37 C.F.R. 1.321)

       Other than a small entity - fee \$110.00

XXX Small Entity - fee \$55.00

       Verified statement attached.

       Verified statement filed on December 20, 1994.

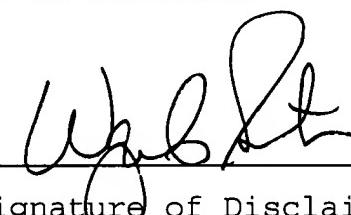
**FEE PAYMENT**

X Attached is a check in the sum of \$55.00

X Charge Account No. 14-0620 for any fee deficiency required by this paper.

       Charge Account No. 14-0620 the sum of \$      . A duplicate of this disclaimer is attached.

Dated: June 7, 1999

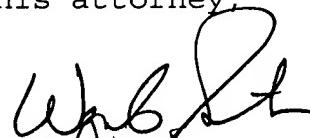
  
(Signature of Disclaimant)

Respectfully Submitted,

Wayne A. Bonin

By his attorney,

Date: June 7, 1999

  
Wayne A. Sivertson  
Registration No. 25,645  
NAWROCKI, ROONEY & SIVERTSON, P.A.  
Suite 401, Broadway Place East  
3433 Broadway Street Northeast  
Minneapolis, MN 55413  
Telephone: (612) 331-1464  
Facsimile: (612) 331-2239